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9 page]

10 *Attorney for Plaintiff and the Proposed
11 Class*

12 UNITED STATES DISTRICT COURT
13 CENTRAL DISTRICT OF CALIFORNIA

14 PAUL RYAN individually and on
15 behalf of all others similarly situated,

16 Plaintiff,

17 v.

18 WILSHIRE LAW FIRM, P.L.C.

19 Defendant.

Case No. 2:24-cv-08816-CV-MAR

**JOINT CASE MANAGEMENT
STATEMENT**

Class Action

JURY TRIAL DEMAND

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21
22
23 1. Date the Case was Filed

24 October 12, 2024

2. A list identifying or describing each party

Paul Ryan – Plaintiff

Other Class Members – Putative Plaintiffs

Wilshire Law Firm, P.L.C. – Defendant

3. A brief summary of all claims, counter-claims, cross-claims, or third-party claims

Plaintiff’s statement:

Plaintiff alleges that Wilshire Law Firm, P.L.C. (“Wilshire” or “Defendant”) made numerous pre-recorded calls to his cell phone in violation of the Telephone Consumer Protection Act, 47 U.S.C. § 227 (“TCPA”), including her own, and including after the Plaintiff had requested that they stop. Due to the *en masse* nature of the calling, the Plaintiff has filed this matter as a putative class action on behalf of the following class of individuals:

Robocall Class: All persons within the United States: (1) to whose cellular telephone number (2) Wilshire (or an agent acting on behalf of Wilshire) placed a call (3) within the four years prior to the filing of the Complaint (4) using a pre-recorded message.

The Plaintiff received at least 100 prerecorded calls that were directly from the Defendant, expressly naming Wilshire and seeking to encourage the Plaintiff to hire Wilshire to bring a lawsuit. As support of his contentions, the Plaintiff has alleged the dates and times of the calls, their content, and the caller IDs.

Defendant’s statement:

Plaintiff brings a single cause of action in his individual capacity and on behalf of a putative “Robocall Class,” alleging Wilshire violated the TCPA an

1 undetermined number of times by sending prerecorded messages to Plaintiff and
2 the putative class members' cellular telephone numbers.

3 4. A brief description of the events underlying the action

4 Plaintiff's statement:

5 The Plaintiff received at least 100 calls from the Defendant in violation of
6 the TCPA. These calls violated the TCPA because they were prerecorded messages
7 sent to the Plaintiff's cell phone number. 47 U.S.C. § 227(b)(1)(A)(iii). The TCPA
8 makes it unlawful to send prerecorded messages to cell phones without the prior
9 express written consent of the recipient, which such consent may be revoked at any
10 time and by any reasonable means. And though the Plaintiff denies having consented
11 as an initial matter, which is the Defendant's burden to prove, the Plaintiff also
12 alleges that he asked that the calls stop, but that they did not.

13
14 Defendant's statement:

15 Plaintiff visited Wilshire's website seeking assistance with a prospective
16 legal case. Plaintiff provided his phone number via prior express written consent
17 asking Wilshire to contact him regarding his potential lawsuit.

18
19
20 5. A description of the relief sought and the damages claimed with an
21 explanation of how damages have been (or will be) computed

22 The TCPA provides for statutory damages of at least \$500 per violation, which can
23 be up to trebled if the Court finds that the violation is knowing and/or willful. 47
24 U.S.C. § 227(b)(5)(B). As such, the Plaintiff seeks for himself and the putative class
25 the maximum permissible statutory damages under the TCPA. The TCPA also
26 provides for injunctive relief, which the Plaintiff also seeks. The total amount of

1 damages will depend on the number of calls the Defendant sent to the Plaintiff and
2 each potential class member in violation of the TCPA.

3
4 Wilshire contends that Plaintiff is not entitled to TCPA damages or any other relief.

5
6 6. The status of discovery, including any significant discovery management
7 issues, as well the applicable cut-off dates:

8 The Parties are just beginning and are in the early phases of discovery. Wilshire
9 intends to move for bifurcation on the basis that Plaintiff-specific facts sufficiently
10 narrow the dispositive issue before the Court so as to demonstrate that there is no
11 need for class discovery, certification, or trial.

12
13 The Parties will jointly propose a discovery cut off date after the Court enters a
14 scheduling order.

15
16 7. A procedural history of the case, including any previous motions that were
17 decided or submitted, any ADR proceedings or settlement conferences that have
18 been scheduled or concluded, and any appellate proceedings that are pending or
19 concluded:

20 Plaintiff filed the Complaint on October 12, 2024. Wilshire filed an Answer on
21 January 24, 2025. The Parties have not yet engaged in formal or informal settlement
22 discussions.

23
24 Wilshire believes early mediation could significantly help resolve this case in the
25 early stages and before too much time is spent in lengthy discovery

1 8. A description of any other deadlines in place; before reassignment:

2 None.

3
4 9. Whether the parties will consent to a magistrate judge for trial:

5 The parties respectfully do not consent to a magistrate judge for trial.

6
7 10. A statement from each party's counsel indicating they have (1) discussed the
8 magistrate judge consent program with their respective client(s), and (2) met and
9 conferred to discuss the consent program and selection of a magistrate judge:

10 Counsel for Plaintiff has discussed the magistrate judge consent program with their
11 respective clients and met and conferred with defendant's counsel to discuss the
12 consent program and selection of a magistrate judge.

13
14 Counsel for Wilshire has discussed the magistrate judge consent program with their
15 client and met and conferred with Plaintiff's counsel to discuss the consent program
16 and selection of a magistrate judge.

17 11. Whether there is an immediate need for a scheduling conference and, if so,
18 why the parties believe such a need exists:

19 There is a need for the Court to issue a scheduling order, as one has not yet been
20 issued in this case, but the parties do not believe that a Rule 16 Scheduling
21 conference is required at this time. As such, the Parties respectfully request that the
22 Court issue a scheduling order without a conference.

23
24 Respectfully submitted,

1 Dated: February 12, 2025 PERRONG LAWLLC

2 By: /s/Andrew R. Perrong

3 Andrew R. Perrong

4 Attorney for Plaintiff
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5 Glenside, PA 19038
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6 215-225-5529

7 Troutman Pepper Locke LLP

8 By: /s/ Chad Fuller

9 Chad Fuller

10 Virginia Flynn (pro hac vice)

11 Christine Nowland

12 Attorneys for Defendant Wilshire Law Firm P.L.C.

13
14
15 **ATTESTATION OF SIGNATURE**

16 Pursuant to Central District Electronic Local L.R. 5-4.3.4, I hereby certify that
17 the content of this document is acceptable to counsel for Defendant, and I obtained
18 his authorization to affix their electronic signatures to this document.
19

20 /s/ Andrew R. Perrong

21 Andrew R. Perrong